What's going on with the "Encampment Abatement Policy"?

City Council members/staff violated the law with private meetings, and continue to lack transparency and ethics - here's the latest on the Encampment Abatement Policy (EAP)

- On 09/08/25, the Oakland City Attorney issued a notice of a Brown Act Violation. He cited that Patricia Brooks (the Council President Jenkins Chief of Staff) and Councilmember Ken Houston held a series of private meetings to discuss the EAP. These meetings were in violation of the Brown Act.
- The purpose of the Brown Act, or "Open Meeting" law, is to **deter misuse of public processes** and **ensure that government representatives are not having private meetings.** They must host discussions regarding proposed legislation openly, and ensure public participation in the process every step of the way.
- Ever since the Brown Act Violation in September, CM President Jenkins and CM Houston have led a very confusing public process around the EAP. **Meetings have been scheduled at the last minute, cancelled, rescheduled, then cancelled again.**
- **There has been a clear effort to try to keep the public out of the EAP process, and instead attempt to force it to pass without the public noticing or providing input.**

The scheduling process for the EAP has been erratic: a move intended to confuse and exclude the public from the process

- **September 10th Public Safety Committee Meeting:** The first public hearing of the EAP. Committee members agrees to keep the Policy in Committee to be further discussed, and to ensure all CMs can attend the next meeting so everyone can provide input.
- **October 21st during the City Council Meeting:** CM Jenkins emails the City Clerk to schedule a Special City Council Meeting for October 27th. *Even though the City Clerk confirmed the meeting within minutes, CM Jenkins chose not to publicly announce the upcoming meeting, despite that being the general practice of past CM Presidents.*

- **October 23rd Rules and Legislation Committee:** At this meeting, two CMs felt strongly that there was not enough time to review the materials, as they wouldn't be available until 4 PM on Friday with the meeting the following Monday. The Committee voted to cancel the Special Meeting on October 27th and reschedule it to November 4th
- ***October 27th Special City Council Meeting cancelled:*** rescheduled to November 4th
- **October 30th Rules and Legislation Committee:** Once again, the Committee decided to cancel the upcoming meeting on November 4th and reschedule it to December 2nd
- ***November 4th Special City Council Meeting cancelled:*** Rescheduled to December 2nd
- **December 2nd Special City Council Meeting:** Current anticipated meeting date, however, the agenda has not been published yet

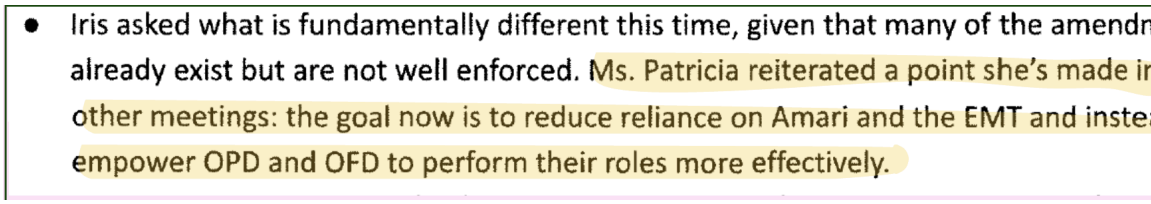
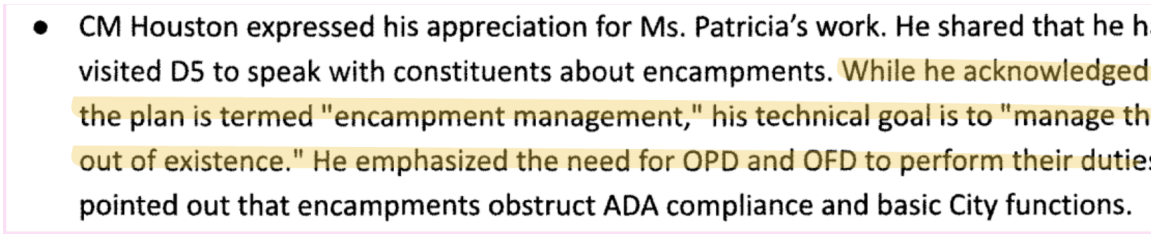
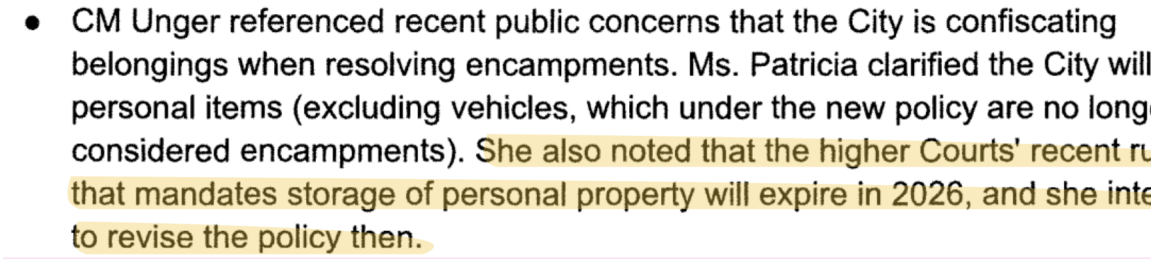
Meeting notes released by city attorney from private meetings expose the true goals of the EAP

[LINK TO FULL MEETING NOTES]

https://drive.google.com/file/d/1p9AKfwDat5FMltP4Wmn56Gubxo00OWS6/view

Per the City Attorney, meeting notes from all the Brown Act violation meetings were publicly released, and highlighted CMs' true intentions behind the policy.

1. **Implement new laws of Trump-appointed Supreme court – the Grants Pass ruling**
    a. It is clear that the Supreme Court's reversal of Grants Pass in June 2024 is what is inspiring and enabling this Encampment Abatement Policy. The ruling that would allow the City to sweep our neighbors without offering shelter is referenced seven times in the notes:
        i.
        - Ms. Patricia provided additional legal context, explaining that lower Courts had once ruled it was cruel and inhumane for the City to clear encampments, placing the burd on the City to provide housing. However, she noted that higher Courts have since reversed that decision, stating that the responsibility to house displaced individuals r lies with the County. This shift in legal interpretation will allow the City to close encampments more rapidly and exert pressure on the County to offer appropriate housing solutions.

2. **Steal the vehicles our neighbors are living in, along with their personal belongings; and pivot to criminal enforcement against homelessness and visible poverty.**
    a. The EAP aims to reduce reliance on the Encampment Management Team, who in their current role are supposed to connect people to shelter and services (though functionally they often don't). The EAP aims to pivot entirely and “empower” Oakland Police and Fire Department to “perform their roles more effectively”: meaning, towing live-in vehicles and citing or arresting people for living outside.
        i. 
        - Iris asked what is fundamentally different this time, given that many of the amendm already exist but are not well enforced. Ms. Patricia reiterated a point she's made in other meetings: the goal now is to reduce reliance on Amari and the EMT and instea empower OPD and OFD to perform their roles more effectively.
        ii. 
        - CM Houston expressed his appreciation for Ms. Patricia's work. He shared that he h visited D5 to speak with constituents about encampments. While he acknowledged the plan is termed "encampment management," his technical goal is to "manage th out of existence." He emphasized the need for OPD and OFD to perform their duties pointed out that encampments obstruct ADA compliance and basic City functions.
        iii. 
        - CM Unger referenced recent public concerns that the City is confiscating belongings when resolving encampments. Ms. Patricia clarified the City will personal items (excluding vehicles, which under the new policy are no longe considered encampments). She also noted that the higher Courts' recent ru that mandates storage of personal property will expire in 2026, and she inte to revise the policy then.
    b. Stealing people’s homes and pushing them onto the street without offering them shelter or services will make the situation devastatingly worse. Arresting unhoused neighbors deepens their poverty, disconnects them from service providers, and diverts public funding away from real solutions.
3. **Avoid the responsibility of housing people, and "pass the buck" on to the County by deliberately exacerbating a public health crisis**
    a. In the meeting notes, Patricia Brooks mentions over and over again that once an encampment is swept, it then becomes the County’s responsbility to provide housing to people.

b. She illustrates a cowardly plan to sweep people and disconnect them from community care networks – including medical providers and harm reduction services – and then point the finger at the County to house them, **essentially working in opposition and *drastically slowing down people's access to services while removing their existing support networks.***
c. Data shows that sweeping people significantly decreases their ability to connect with permanent supportive housing. Not only are documents lost/thrown away by the city, but service providers are not able to locate clients once they have been displaced.

i.
- CM Gallo inquired about post-implementation procedures, specifically addressing t destination of displaced individuals following policy implementation. Ms. Patricia clarified that the County maintains emergency funding designated for homelessnes response. She explained that once encampment management policy revisions are enacted and encampments are closed, the situation transitions into a public health matter—a domain that falls under County responsibility rather than city jurisdictio responsibility for securing appropriate housing alternatives consequently shifts to County authorities.

Why the lies and questionable leadership from Council President Jenkins?

Council President Jenkins has continuously enabled the EAP process to lack transparency, and has lied about his involvement in drafting the policy. He claimed he had no involvement in drafting it and is only participating in his role as a councilmember.

Jenkins's Chief of Staff is the lead author of the EAP, and confirmed in a private meeting that CM Jenkins has been collaborating with CM Houston on the proposal.

- Ms. Patricia began the meeting by explaining that the original edits to the encampment management resolution were made by CM Reid and CM Jenkins. With CM Reid no longer in Office, CM Jenkins has been collaborating with CM Houston. She noted that they have conducted briefings with ACA Duffy, OPD, and OFD. In addition, they have held three meetings with the City Attorney's Office and have spoken with the majority of CMs.

Members of the public have already confronted the Council at public meetings regarding the lack of transparency around the EAP. Jenkins responded to someone's public comment (also against meeting rules) to accuse him of spreading "conspiracy theories" – ***but the receipts are available for anyone to see.***

CM Jenkins continues to hide behind his Chief of Staff and CM Houston to mask his true desire to criminalize our neighbors and pass this violent policy without public input.